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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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K&S PRODUCE INC.

Plaintiff,

-against-

100 BROAD STREET, LLC a/k/a ESSEN FOOD,
ESSEN22 LLC a/k/a ESSEN FOOD, JOHN BYUN,
CHONG WON BYUN, and WILLIAM BYUN,
individually and in any corporate

Defendants.
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Index No. 1:20-CV-08786-GHW

DEFAULT JUDGMENT

[Fed.R.Civ.P.55 (b) (2)]

Upon consideration of Plaintiff's motion for entry of a default judgment against the Defendants 100 Broad Street, LLC a/k/a Essen Food, Essen22 LLC a/k/a Essen Food, John Byun, Chong Won Byun, and William Byun, the Declaration of Timothy J. Fierst, Esq., dated February 16, 2021, the Declaration of Lee Pakulsky dated February 16, 2021, and the exhibits annexed thereto, the Memorandum In Support of Plaintiff's Motion for Default Judgment Against Defendants 100 Broad Street, LLC a/k/a Essen Food, Essen22 LLC a/k/a Essen Food, John Byun, Chong Won Byun, and William Byun and there being no opposition thereto, and it appearing to the Court that the Defendants 100 Broad Street, LLC a/k/a Essen Food, Essen22 LLC a/k/a Essen Food, John Byun, Chong Won Byun, and William Byun have failed to plead or otherwise defend in this action; and that a principal balance in the amount of \$525,715.27 is due plaintiff K&S Produce Inc. pursuant to the parties' contract, and that Plaintiff has the right to

recover against Defendants 100 Broad Street, LLC a/k/a Essen Food, Essen22 LLC a/k/a Essen Food, John Byun, Chong Won Byun, and William Byun, jointly severally, pursuant to Section 5(c) of the Perishable Agricultural Commodities Act, 7 U.S.C. §499(e)(a-c) (“PACA”), it is hereby

ORDERED, that Plaintiff’s motion for entry of a default judgment be, and the same is hereby granted and it is further

ORDERED, ADJUDGED AND DECREED, that judgment is hereby entered in favor of Plaintiff, K&S PRODUCE INC., 22-19 160street, Whitestone, NY 11357, and against 100 BROAD STREET LLC a/k/a ESSEN FOOD, 100 Broad Street, New York, NY 10004, in the amount of \$198,778.90; in favor of Plaintiff K&S PRODUCE INC., 22-19 160 Street, Whitestone, NY 11357, and against ESSEN22 LLC a/k/a ESSEN FOOD, 100 Broad Street, New York, NY 10004, in the amount of \$326,936.37; in favor of Plaintiff, K&S PRODUCE INC., 22-19 160 Street, Whitestone, NY 11357 and against JOHN BYUN, 100 Broad Street, New York, NY 10004, JOHN BYUN, 100 Broad Street, New York, NY 11357, CHON WON BYUN, 100 Broad Street, New York, NY 10004 and WILLIAM BYUN, 100 Broad Street, New York, NY 10004 jointly and severally in the amount of \$525,715.27; all together with interest at the legal rate of 9% from October 22, 2020 through the date of judgment in the amount of _____, and Plaintiff have execution therefor, and it is further

ORDERED, ADJUDGED AND DECREED that the stay imposed by Fed. R. Civ. P. 62 (a) is hereby vacated, Plaintiff may immediately execute upon this judgment and the Clerk shall immediately issue an abstract of judgment upon Plaintiff’s proper application therefor.

ENTERED, this ____ day of _____, 2021

GREGORY H. WOODS
United States District Judge